

JOURNAL OF THE HOUSE

NINETIETH SESSION

TWELFTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, January 29, 2015

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Josh Baumann, followed by the Pledge of Allegiance led by House page Michael Greenfield.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the eleventh day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Dean Wink, Chair

Which motion prevailed.

HONORED GUESTS

Speaker Wink introduced Kendra Peterson of Sisseton, the 2015 Miss Rodeo South Dakota and Nikki Boomsma of Stickney, the 2014 Miss Black Hills Stock Show to the body.

COMMUNICATIONS AND PETITIONS

January 28, 2015

Speaker Dean Wink
President Pro Tem Corey Brown
500 East Capitol Avenue
Pierre, SD 57501

Dear Mr. Speaker and Mr. President Pro Tem,

Pursuant to SDCL § 7-1-71, I am notifying you of the results of the election in Shannon County to change the name of the county to Oglala Lakota County. In the 2014 general election, Shannon County voters approved to change the county name by a greater than two-thirds majority.

The County Auditor notified my office on November 17, 2014, pursuant to SDCL § 7-70 of the results of the election. I have attached that letter.

Sincerely
Dennis Daugaard
Governor

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Local Government respectfully reports that it has had under consideration HB 1091 and 1106 and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Committee on Local Government respectfully reports that it has had under consideration HB 1104 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

1 Also MR. SPEAKER:

2 The Committee on Local Government respectfully reports that it has had under
3 consideration HB 1081 and returns the same with the recommendation that said bill be amended
4 as follows:

5 1081ja

6 On page 1 of the printed bill, delete lines 4 to 6, inclusive, and insert:

7 " Section 1. That § 7-7-24 be amended to read as follows:

8 7-7-24. All county officials, except sheriffs, shall be paid for traveling expenses for each
9 mile traveled in the discharge of their official duties ~~not to exceed state mileage rate.~~

10 Section 2. That § 7-7-4 be amended to read as follows:

11 7-7-4. The county commissioners shall be paid traveling expenses for each mile traveled in
12 the discharge of their official duties ~~of not more than the state rate.~~ For the purpose of this
13 section, traveling expense incurred by county commissioners to attend meetings in the State of
14 South Dakota, called for the purposes of instructing or exchange of information pertaining to
15 county officers and government, are miles traveled in the discharge of their official duties."

16 And that as so amended said bill do pass.

17 Respectfully submitted,
18 Kristin A. Conzet, Chair

19 Also MR. SPEAKER:

20 The Committee on Health and Human Services respectfully reports that it has had under
21 consideration HB 1079 and 1080 and SB 61 and returns the same with the recommendation that
22 said bills do pass.

23 Respectfully submitted,
24 Scott Munsterman, Chair

25 **MESSAGES FROM THE SENATE**

26 MR. SPEAKER:

27 I have the honor to return herewith HCR 1001 and 1002 in which the Senate has concurred.

1 Also MR. SPEAKER:

2 I have the honor to transmit herewith SCR 2 and 3 which have been adopted by the Senate
3 and your concurrence is respectfully requested.

4 Also MR. SPEAKER:

5 I have the honor to transmit herewith SB 8, 33, 38, 43, and 48 which have passed the
6 Senate and your favorable consideration is respectfully requested.

7 Respectfully,
8 Kay Johnson, Secretary

9 **MOTIONS AND RESOLUTIONS**

10 HCR 1004: A CONCURRENT RESOLUTION, Addressed to the United States Supreme
11 Court setting forth certain facts and expressly enumerating the grievances of the People of the
12 State of South Dakota, through their elected representatives, with that Court's decision in Roe
13 v. Wade, 410 U.S. 113 (1973), and its progeny and calling for that Court to now protect the
14 intrinsic, natural, fundamental rights of the children of our State and nation and the intrinsic,
15 natural, fundamental rights of their pregnant mothers in their relationship with their children,
16 and the mothers' health by reconsidering and overturning the court's decision in Roe.

17 Rep. Hunt moved that HCR 1004 as found on page 144 of the House Journal be adopted.

18 The question being on Rep. Hunt's motion that HCR 1004 be adopted.

19 And the roll being called:

20 Yeas 60, Nays 10, Excused 0, Absent 0

21 Yeas:

22 Anderson; Bartling; Beal; Bolin; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto;
23 Duvall; Feickert; Gosch; Greenfield (Lana); Haggard (Don); Harrison; Haugaard; Heinemann
24 (Leslie); Hickey; Holmes; Hunhoff (Jean); Hunt; Johns; Kaiser; Kirschman; Klumb; Langer;
25 Latterell; Marty; May; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge;
26 Peterson (Kent); Qualm; Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
27 Schoenfish; Schrempp; Sly; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
28 Willadsen; Wollmann; Zikmund; Speaker Wink

29 Nays:

30 Bordeaux; Dryden; Gibson; Hawks; Hawley; Jensen (Alex); Killer; McCleerey; Romkema; Soli

31 So the motion having received an affirmative vote of a majority of the members-elect, the
32 Speaker declared the motion carried and HCR 1004 was adopted.

1 HCR 1005: A CONCURRENT RESOLUTION, Urging Congress to propose the regulation
2 freedom amendment to the United States Constitution.

3 Rep. Stalzer moved that HCR 1005 as found on page 197 of the House Journal be adopted.

4 The question being on Rep. Stalzer's motion that HCR 1005 be adopted.

5 And the roll being called:

6 Yeas 56, Nays 14, Excused 0, Absent 0

7 Yeas:

8 Anderson; Beal; Bolin; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto; Dryden;
9 Duvall; Feickert; Gosch; Greenfield (Lana); Haggar (Don); Harrison; Haugaard; Heinemann
10 (Leslie); Hickey; Hunhoff (Jean); Hunt; Johns; Kaiser; Kirschman; Klumb; Langer; Latterell;
11 Marty; May; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Peterson (Kent); Qualm;
12 Rasmussen; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Sly;
13 Solum; Stalzer; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund;
14 Speaker Wink

15 Nays:

16 Bartling; Bordeaux; Gibson; Hawks; Hawley; Holmes; Jensen (Alex); Killer; McCleerey;
17 Partridge; Ring; Schrempp; Soli; Stevens

18 So the motion having received an affirmative vote of a majority of the members-elect, the
19 Speaker declared the motion carried and HCR 1005 was adopted.

20 SCR 1: A CONCURRENT RESOLUTION, Commending the improvements to health care
21 in South Dakota achieved by the system of care established by the community-based Mission:
22 Lifeline initiative.

23 Rep. Hunhoff moved that SCR 1 as found on page 167 of the Senate Journal be concurred
24 in.

25 The question being on Rep. Hunhoff's motion that SCR 1 be concurred in.

26 And the roll being called:

27 Yeas 70, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);
5 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;
6 McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson
7 (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
8 Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra;
9 Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

10 So the motion having received an affirmative vote of a majority of the members-elect, the
11 Speaker declared the motion carried and SCR 1 was concurred in.

12 SCR 2: A CONCURRENT RESOLUTION, endorsing the thirty-first anniversary of sister
13 state relations with the Republic of China (Taiwan), Taiwan's inclusion in the Trans-Pacific
14 Partnership (TPP) and Taiwan's participation as an observer in the International Civil Aviation
15 Organization (ICAO).

16 Was read the first time and the Speaker waived the committee referral.

17 SCR 3: A CONCURRENT RESOLUTION, Recognizing the mutual benefit between
18 health care sharing and health savings accounts.

19 Was read the first time and the Speaker waived the committee referral.

20 Rep. Gosch moved that

21 HB 1108 be referred from the Committee on Judiciary to the Committee on State Affairs;
22 and

23 HB 1116 be referred from the Committee on Judiciary to the Committee on State Affairs.

24 Which motion prevailed.

25 Rep. Gosch moved that HB 1128 be referred from the Committee on Commerce and
26 Energy to the Committee on Judiciary.

27 Which motion prevailed.

28 Rep. Gosch moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
29 Friday, January 30th, the 13th legislative day.

30 Which motion prevailed.

1 **CONSIDERATION OF REPORTS OF COMMITTEES**

2 Rep. Gosch moved that the report of the Standing Committee on
3 Commerce and Energy on HB 1052 as found on page 195 of the House Journal; also
4 Commerce and Energy on HB 1084 as found on page 196 of the House Journal be adopted.
5 Which motion prevailed.

6 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

7 The following bills were read on Wednesday, January 28th, and today the Speaker
8 assigned these bills to committee.

9 HB 1153 was referred to the Committee on Local Government.
10 HB 1154 was referred to the Committee on Local Government.
11 HB 1155 was referred to the Committee on State Affairs.
12 HB 1156 was referred to the Committee on State Affairs.
13 HB 1157 was referred to the Committee on Commerce and Energy.
14 HB 1158 was referred to the Committee on Judiciary.
15 HB 1159 was referred to the Committee on State Affairs.
16 HB 1160 was referred to the Committee on Judiciary.
17 HB 1161 was referred to the Committee on Education.
18 HB 1162 was referred to the Committee on Commerce and Energy.
19 HB 1163 was referred to the Committee on Judiciary.
20 HB 1164 was referred to the Committee on State Affairs.
21 HB 1165 was referred to the Committee on Local Government.
22 HB 1166 was referred to the Committee on Health and Human Services.
23 HB 1167 was referred to the Committee on Local Government.

1 HB 1168 was referred to the Committee on State Affairs.

2 HB 1169 was referred to the Committee on State Affairs.

3 HB 1170 was referred to the Committee on State Affairs.

4 HB 1171 was referred to the Committee on State Affairs.

5 HJR 1002 was referred to the Committee on State Affairs.

6 HJR 1003 was referred to the Committee on State Affairs.

7 HB 1172 Introduced by: Representatives Hawks, McCleerey, Rasmussen, Ring,
8 Schoenfish, Soli, and Verchio and Senators Hunhoff (Bernie), Buhl O'Donnell, Parsley, and
9 Peterson (Jim)

10 FOR AN ACT ENTITLED, An Act to revise the eligibility requirements for the South
11 Dakota opportunity scholarship to include certain students who reside in bordering states.

12 Was read the first time.

13 HB 1173 Introduced by: Representatives Qualm, Anderson, Feickert, Haggart (Don),
14 Klumb, May, Mickelson, Rasmussen, Schoenfish, Stevens, Verchio, and Zikmund and Senators
15 Cammack, Brown, Ewing, Monroe, and Van Gerpen

16 FOR AN ACT ENTITLED, An Act to deter certain frivolous appeals of land zoning
17 decisions.

18 Was read the first time.

19 HB 1174 Introduced by: The Committee on Commerce and Energy at the request of the
20 Office of the Governor

21 FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete provisions
22 related to trade regulation of petroleum products.

23 Was read the first time.

24 HB 1175 Introduced by: Representatives Kirschman, Bartling, Bordeaux, Feickert, Gibson,
25 Hawks, Hawley, Killer, McCleerey, Ring, Schrempp, and Soli and Senators Parsley, Bradford,
26 Buhl O'Donnell, Frerichs, Heinert, Hunhoff (Bernie), Peterson (Jim), and Sutton

27 FOR AN ACT ENTITLED, An Act to prohibit legislation relating to initiated measures
28 for one year after the measure is decided or enacted.

1 Was read the first time.

2 HB 1176 Introduced by: Representatives Gosch, Langer, Mickelson, Westra, and Wink and
3 Senators Rave, Brown, Holien, and Lederman

4 FOR AN ACT ENTITLED, An Act to authorize a person to be on the general election
5 ballot for president or vice president and another office.

6 Was read the first time.

7 HB 1177 Introduced by: Representatives Rounds, Anderson, Cronin, Duvall, Gosch,
8 Schoenbeck, and Wink and Senators Rusch, Brown, Hunhoff (Bernie), and Lederman

9 FOR AN ACT ENTITLED, An Act to remove certain exceptions to campaign finance
10 report filings.

11 Was read the first time.

12 HB 1178 Introduced by: Representatives Partridge, Dryden, Gosch, Hawley, Heinemann
13 (Leslie), Jensen (Alex), Klumb, Novstrup (Al), Rozum, and Westra and Senators Rave,
14 Greenfield (Brock), Lederman, Novstrup (David), Peters, Solano, and White

15 FOR AN ACT ENTITLED, An Act to provide for the creation of an entity for the purpose
16 of insurance contracts in certain instances.

17 Was read the first time.

18 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

19 The following bills were read on Wednesday, January 28th, and today the Speaker
20 assigned these bills to committee.

21 SB 9 was referred to the Committee on State Affairs.

22 SB 10 was referred to the Committee on State Affairs.

23 SB 21 was referred to the Committee on Taxation.

24 SB 60 was referred to the Committee on Health and Human Services.

SB 8: FOR AN ACT ENTITLED, An Act to exempt certain transactions entered into by the State Investment Council and Division of Investment from certain procurement requirements.

Was read the first time.

SB 33: FOR AN ACT ENTITLED, An Act to extend resident tuition eligibility to the spouses and children of active duty military personnel and of qualifying veterans.

Was read the first time.

SB 38: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the state communications system and the South Dakota law enforcement telecommunications system.

Was read the first time.

SB 43: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding lease purchase agreement payments and to ratify certain lease purchase agreements with the Health and Educational Facilities Authority.

Was read the first time.

SB 48: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to the operation of personal watercraft.

Was read the first time.

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1076: FOR AN ACT ENTITLED, An Act to permit the submission of a title insurance policy in lieu of an abstract in certain instances.

Was read the second time.

The question being "Shall HB 1076 pass?"

And the roll being called:

Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);
5 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;
6 McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson
7 (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
8 Schoenfish; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
9 Willadsen; Wollmann; Zikmund; Speaker Wink

10 Excused:

11 Schrempp

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1085: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
15 requirement for performance securities.

16 Was read the second time.

17 The question being "Shall HB 1085 pass?"

18 And the roll being called:

19 Yeas 69, Nays 0, Excused 1, Absent 0

20 Yeas:

21 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
22 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
23 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);
24 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;
25 McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson
26 (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
27 Schoenfish; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
28 Willadsen; Wollmann; Zikmund; Speaker Wink

29 Excused:

30 Schrempp

31 So the bill having received an affirmative vote of a majority of the members-elect, the
32 Speaker declared the bill passed and the title was agreed to.

1 HB 1088: FOR AN ACT ENTITLED, An Act to permit procurement of certain disability
2 insurance from a non-admitted insurer.

3 Was read the second time.

4 The question being "Shall HB 1088 pass?"

5 And the roll being called:

6 Yeas 69, Nays 0, Excused 1, Absent 0

7 Yeas:

8 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
9 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
10 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);
11 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;
12 McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson
13 (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
14 Schoenfish; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
15 Willadsen; Wollmann; Zikmund; Speaker Wink

16 Excused:

17 Schrempp

18 So the bill having received an affirmative vote of a majority of the members-elect, the
19 Speaker declared the bill passed and the title was agreed to.

20 SB 35: FOR AN ACT ENTITLED, An Act to repeal certain outdated and unnecessary
21 statutes and rules related to the Department of Veterans Affairs.

22 Was read the second time.

23 The question being "Shall SB 35 pass?"

24 And the roll being called:

25 Yeas 69, Nays 0, Excused 1, Absent 0

26 Yeas:

27 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
28 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
29 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);
30 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;
31 McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson
32 (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
33 Schoenfish; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
34 Willadsen; Wollmann; Zikmund; Speaker Wink

1 Excused:
2 Schrempp

3 So the bill having received an affirmative vote of a majority of the members-elect, the
4 Speaker declared the bill passed and the title was agreed to.

5 SB 31: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
6 coordination of benefits between health plans.

7 Was read the second time.

8 The question being "Shall SB 31 pass?"

9 And the roll being called:

10 Yeas 69, Nays 0, Excused 1, Absent 0

11 Yeas:
12 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
13 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
14 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);
15 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;
16 McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson
17 (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
18 Schoenfish; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
19 Willadsen; Wollmann; Zikmund; Speaker Wink

20 Excused:
21 Schrempp

22 So the bill having received an affirmative vote of a majority of the members-elect, the
23 Speaker declared the bill passed and the title was agreed to.

24 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

25 HB 1055: FOR AN ACT ENTITLED, An Act to repeal certain outdated and unnecessary
26 statutes and administrative rules related to the Department of Agriculture.

27 Was read the second time.

28 The question being "Shall HB 1055 pass as amended?"

29 And the roll being called:

30 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);
5 Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May;
6 McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson
7 (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
8 Schoenfish; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
9 Willadsen; Wollmann; Zikmund; Speaker Wink

10 Excused:

11 Schrempp

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1056: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
15 Department of Agriculture.

16 Was read the second time.

17 The question being "Shall HB 1056 pass as amended?"

18 And the roll being called:

19 Yeas 67, Nays 2, Excused 1, Absent 0

20 Yeas:

21 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
22 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
23 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey; Holmes; Hunhoff (Jean);
24 Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Marty; May; McCleerey;
25 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
26 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Sly;
27 Soli; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann;
28 Zikmund; Speaker Wink

29 Nays:

30 Kaiser; Latterell

31 Excused:

32 Schrempp

33 So the bill having received an affirmative vote of a majority of the members-elect, the
34 Speaker declared the bill passed and the title was agreed to.

1 HB 1073: FOR AN ACT ENTITLED, An Act to require a sex offender to report a change
2 in vehicle status to law enforcement.

3 Was read the second time.

4 Rep. Gosch moved that HB 1073 be deferred to Friday, January 30th, the 13th legislative
5 day.

6 Which motion prevailed.

7 HB 1074: FOR AN ACT ENTITLED, An Act to revise certain notice requirements for
8 reporting motor vehicle accidents.

9 Was read the second time.

10 1074fa

11 Rep. Willadsen moved that HB 1074 be amended as follows:

12 On page 1 of the printed bill, delete lines 5 to 9, inclusive, and insert:

13 " 32-34-7. The driver of any motor vehicle involved in an accident resulting in bodily
14 injuries or death to any person or property damage to an apparent extent of one thousand dollars
15 or more to any one person's property or two thousand dollars per accident shall immediately, by
16 the quickest means of communication, give notice of the accident to the nearest available law
17 enforcement officer who has jurisdiction. A violation of this section is a Class 2 misdemeanor."

18 Which motion lost.

19 The question being "Shall HB 1074 pass?"

20 And the roll being called:

21 Yeas 25, Nays 42, Excused 3, Absent 0

22 Yeas:

23 Bolin; Brunner; DiSanto; Gosch; Greenfield (Lana); Harrison; Johns; Kaiser; Klumb; Langer;
24 Latterell; Marty; May; Otten (Herman); Qualm; Rasmussen; Romkema; Russell; Schaefer; Soli;
25 Stalzer; Tulson; Werner; Westra; Speaker Wink

1 Nays:

2 Anderson; Bartling; Beal; Bordeaux; Campbell; Conzet; Craig; Deutsch; Dryden; Duvall;
3 Feickert; Gibson; Haggar (Don); Haugaard; Hawks; Hawley; Heinemann (Leslie); Hickey;
4 Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Killer; Kirschman; McCleerey; Mickelson;
5 Munsterman; Novstrup (Al); Partridge; Peterson (Kent); Ring; Rounds; Schoenbeck;
6 Schoenfish; Sly; Solum; Stevens; Verchio; Wiik; Willadsen; Wollmann; Zikmund

7 Excused:

8 Cronin; Rozum; Schrempp

9 So the bill not having received an affirmative vote of a majority of the members-elect, the
10 Speaker declared the bill lost.

11 SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

12 SB 32: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding veteran's
13 preference for all veterans who are United States citizens who seek employment with the state,
14 a county, or a municipality.

15 Was read the second time.

16 The question being "Shall SB 32 pass?"

17 And the roll being called:

18 Yeas 65, Nays 1, Excused 4, Absent 0

19 Yeas:

20 Anderson; Bartling; Beal; Bordeaux; Brunner; Campbell; Conzet; Craig; Deutsch; DiSanto;
21 Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don); Harrison;
22 Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
23 Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
24 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
25 Rasmussen; Ring; Romkema; Rounds; Russell; Schaefer; Schoenbeck; Schoenfish; Sly; Soli;
26 Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann;
27 Zikmund; Speaker Wink

28 Nays:

29 Bolin

30 Excused:

31 Cronin; Hickey; Rozum; Schrempp

32 So the bill having received an affirmative vote of a majority of the members-elect, the
33 Speaker declared the bill passed and the title was agreed to.

COMMEMORATIONS

HC 1008 Introduced by: Representatives Wollmann, Heinemann (Leslie), Hickey, Kaiser, and Rasmussen and Senator Parsley

A LEGISLATIVE COMMEMORATION, Commending and honoring Emily Hawkes of Madison High School for being selected as South Dakota's Gatorade Cross Country Runner of the Year for the 2014 cross country season.

WHEREAS, Emily Hawkes was undefeated in the 2014 season and captured her second Class A State Cross Country title. Emily is a five-time state meet place winner in cross country and a two-time champion in 2012 and 2014; and

WHEREAS, Emily Hawkes has shown extraordinary patience, dedication, and tenacity in overcoming severe medical issues, including the possibility of not running again. Emily came back strong, was undefeated (11-0), and had the best time of all the classes at the 2014 State Cross Country meet held in Huron; and

WHEREAS, Emily Hawkes demonstrated the physical, mental, and emotional strength necessary to conquer adversity, climate, and illness, not missing a meet. In addition, she maintained a perfect 4.0 GPA throughout high school, graduating early, and was Academic All State in cross country;

NOW, THEREFORE, BE IT COMMEMORATED, by the Ninetieth Legislature of the State of South Dakota, that Emily Hawkes be commended and honored on her outstanding athletic and academic performance, her selection as the 2014 South Dakota Gatorade Cross Country Runner, and her second individual state cross country championship title.

Rep. Anderson moved that the House do now adjourn, which motion prevailed and at 4:08 p.m. the House adjourned.

Arlene Kvislen, Chief Clerk

